



MANAGING YOUR PRECINCT ON ELECTION DAY

ELECTION INSPECTORS' PROCEDURE MANUAL

**A Quick Reference Guide to the State and Federal Laws
Which Govern the Operation of Polling Places**

**Michigan Department of State
Bureau of Elections
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OPENING THE POLLS/CLOSING THE POLLS

A majority of the precinct board must be in attendance at the polling place at all times during the election. For example, if the board consists of four inspectors, at least three must remain on duty at all times. A member of the precinct board can leave the polling place if necessary as long as his or her absence does not interrupt the orderly operation of the polling place.

As you administer the polls throughout the day, it is important to employ the “check and balance” procedures provided under the law to protect the integrity of the elections process and remove any appearance of impropriety. It is therefore emphasized that the following precinct board duties **must be handled by two election inspectors who have expressed a preference for different political parties:**

- Assisting voters who request instruction after entering a voting station.
- Opening any electronic tabulating equipment during the day to ensure its proper operation.
- Sealing ballot containers, electronic voting devices or any other election materials.
- Delivering sealed documents and sealed ballot containers after the polls close.

Preparation for Opening the Polls

The following tasks must be completed prior to the opening of the polls:

- Take and sign the constitutional oath of office. (The oath is signed in the Poll Book or on a form provided by the clerk.)
- Display the flag of the United States. (May be displayed inside or outside of the polling place.)
- Establish a proper barrier to separate the voting area (includes voting stations, electronic tabulating equipment and election inspectors’ table) from the rest of the room.
- Check all forms and supplies against the list furnished by the clerk. Contact the clerk if any of the supplies are missing.
- Post precinct instruction ballots in places where the voters can examine them prior to voting. All other notices found in your supplies must also be posted. Remove any old instruction ballots and notices still displayed in the room.

Preparation for Opening the Polls (*cont.*)

- Set up and arrange voting stations to assure that each voter can vote with complete secrecy.
- Prepare the tabulator and AutoMARK Voter Assist Terminal for proper operation. (Complete information on this aspect of your duties will be provided by the clerk.)
- Arrange your workstations to ensure that you are able to process voters in an orderly manner.

Opening the Polls

The polling place must be ready and open for voting at 7:00 a.m. At 7:00 a.m., it is the duty of the precinct chairperson to publicly announce the opening of the polls by declaring, "The polls are now open."

Closing the Polls

The polling place must remain open for voting until 8:00 p.m. At 8:00 p.m., it is the duty of the precinct chairperson to publicly announce the closing of the polls by declaring, "The polls are now closed." Every voter standing in the line at 8:00 p.m. **must be permitted to vote.**

As interested persons have the right to observe the closing of the polls, the door to the polling place must remain unlocked until the board of election inspectors completes its work.

As soon as the precinct board has obtained the precinct's vote totals after the polls have closed, the results must be made available to any interested person who may be present in the polling place.

Persons observing the closing of polls may not cross the barrier that separates the voting area from the rest of the room. In addition, persons observing the closing of the polls must conduct themselves in an orderly manner; the board of election inspectors may clear the polls if necessary to assure the orderly completion of the precinct's records.

PROCESSING VOTERS

STEP ONE: Identify voter

Before permitting a person to vote, you must do the following:

- (1) Ask the voter to print his or her name and **current** residential address on an Application to Vote and sign. Also ask the voter to enter his or her day and month of birth on the Application to Vote. (The year of birth is not required.)
- (2) Next, compare the birthdate and address on the Application to Vote with the voter's birthdate and address on the precinct's QVF list AND ask the voter to show his or her Michigan driver's license or Michigan personal identification card. Be sure to ask all voters for picture ID. This includes voters you personally know as the equal treatment of all voters is important!

Alternative forms of picture ID

If the voter states that he or she is not carrying a Michigan driver's license or a Michigan personal identification card, ask the voter if he or she can show another form of current picture identification. Any of the following are acceptable:

- Driver's license or personal identification card issued by another state.
- Federal or state government-issued photo identification.
- U.S. passport.
- Military identification card with photo.
- Student identification with photo from a high school or an accredited institution of higher education.
- Tribal identification card with photo.

Voters unable to show acceptable picture ID

A voter who states that he or she 1) does not have acceptable picture ID or 2) did not bring acceptable picture ID to the polls must sign an "Affidavit of Voter Not in Possession of Picture Identification" before voting. Be sure to advise **all** voters who do not possess acceptable picture ID that they must sign the affidavit before voting.

The affidavit form can be used by 1) voters who do not have acceptable picture ID and 2) voters who have acceptable picture ID – but did not bring it to the polls.

Any affidavit forms completed by voters must be returned to the clerk after the polls close. Follow the clerk's instructions for returning the forms. Be prepared to advise the clerk on the total number of voters who completed the affidavit form throughout the day.

- (3) If the voter shows an acceptable picture ID, check the photo and name appearing on the picture ID to verify the voter's identity. Confirm that the name appearing on the picture ID matches the name entered by the voter on the Application to Vote. The name appearing on the picture ID does **not** have to exactly match the name on the Application to Vote or the name on the QVF list. For example, commonly used abbreviated names are acceptable such as Bill for William or Kathy for Kathryn. An initial for the voter's first name is also acceptable.
- (4) Check the QVF list to see if the person received an absent voter ballot. If the records show the person was issued an absent voter ballot, the person cannot vote unless he or she surrenders the ballot at the polls. (In this case, note this on the remarks page of the Poll Book and write "CANCELED – VOTED IN PERSON" on the envelope containing the ballot. Forward the envelope to the clerk after the polls close.) If the person claims the absent voter ballot was lost, destroyed or never received, he or she may vote after signing an affidavit attesting to his or her claim. In this instance, contact the clerk for direction.
- (5) If the person is satisfactorily identified and was not issued an absent voter ballot for the election, the election inspector in charge of the registration records initials the application. Initial only after checks have been made!

IMPORTANT NOTES

If the name on the Application to Vote does not match the name on the registration list, determine the reason. A person's name may be different because of a spelling correction, a court order, marriage, or other reason. A voter whose name has changed must sign the Application to Vote with the name he or she used to register.

If the address on the Application to Vote does not match the address on the registration list, refer to "Voters Who Have Moved."

If the voter shows an acceptable form of picture ID and questions over the voter's identity remain, refer to "Special Procedure If Picture ID Leaves Voter's Identity in Question."

More information on Michigan's voter ID requirement is under "Points to Remember When Processing Voters."

If the QVF list tells you that the voter must satisfy the federal ID requirement, refer to "Special Procedure If Voter Is Subject To Federal ID Requirement" below.

Special Procedure If Picture ID Leaves Voter's Identity in Question

- First, consider the age of the photo and any explanations the voter offers (weight gain or loss, hair style or facial hair alterations, different eyeglass frames, etc.). If that resolves the matter, give a ballot to the voter. If questions over the voter's identity remain, ask to view other acceptable forms of picture identification that the voter may be carrying. If the matter is not resolved, give the voter a provisional ballot and contact the clerk.
- The provisional ballot must be preserved as an "envelope" ballot. The completion of the Four-Step Procedure Form is not necessary. (It is only necessary if a voter's name does not appear on the QVF list.)
- When preserving an "envelope" ballot, you must 1) check the ID requirement box on the outside of the provisional ballot security envelope 2) mark the outside of the provisional ballot security envelope with the words "Michigan voter ID requirement" and 3) give voter required provisional balloting notices.

Special Procedure If Voter Is Subject To Federal ID Requirement

Federal law stipulates that a voter who 1) has never voted in Michigan and 2) registers to vote by mail must meet a federal identification requirement. If the voter does not meet the requirement when registering to vote, the voter must satisfy the federal ID requirement before voting in the first election in which he or she wishes to participate. The federal ID requirement does not apply if the voter is disabled.

Voters required to satisfy the federal ID requirement before voting are coded “ID” on the QVF list. If the “ID” code appears next to a voter’s name on the QVF list, the voter must present one of the following before voting in the first election in which he or she wishes to participate: 1) an acceptable form of picture identification or 2) a paycheck, government check, utility bill, bank statement or a government document which lists the voter’s name and address.

Three situations can emerge when a voter is subject to the federal ID requirement:

- **Voter displays picture identification:** Satisfies both the federal ID requirement and Michigan’s voter identification requirement. Give the voter a ballot.
- **Voter displays paycheck, government check, utility bill, bank statement or a government document which lists his or her name and address:** Satisfies the federal ID requirement. Voter must display picture identification to satisfy Michigan’s voter identification requirement. If voter does not possess picture identification, he or she must sign the affidavit form developed for voters who do not possess picture identification before voting. After the voter displays picture ID or signs the affidavit, give the voter a ballot.
- **Voter does not possess picture identification and is unable to produce a paycheck, government check, utility bill, bank statement or a government document which lists his or her name and address:** Voter must sign affidavit form developed for voters who do not possess picture identification before voting. As the voter is unable to satisfy the federal ID requirement, give the voter a provisional ballot. After the voter has completed the voting process, the provisional ballot must be secured as an “envelope” ballot. When preserving an “envelope” ballot you must 1) check the ID requirement box on the outside of the provisional ballot security envelope 2) mark the outside of the provisional ballot security envelope with the words “Federal voter ID requirement” and 3) give the voter the required provisional balloting notices. The completion of the Four-Step Procedure Form is not necessary. (The Four-Step Procedure Form is only necessary if a voter’s name does not appear on the QVF list.)

STEP TWO: Offering Instruction

Ask each elector if he or she wishes to receive instruction on the voting process. The following must be observed:

- Always offer to give instruction on **all** aspects of the voting process including instruction on the procedure for casting a write-in vote. If a voter states that he or she wishes to only receive instruction on the procedure for casting a write-in vote, it is permissible to limit your instruction to the write-in process; otherwise, instruct on all aspects of the voting process to avoid any appearance that the precinct board is promoting write-in candidates. If a voter requests information on write-in candidates, advise the voter to contact the clerk. Do not provide the names of write-in candidates while processing voters or display the names of write-in candidates inside the polling place.
- Warn that you cannot vote for more candidates than the number stated in the office heading. (If the ballot states, “Vote for not more than 1,” you cannot vote for more than one candidate for the office; if the ballot states, “Vote for not more than 2,” you cannot vote for more than two candidates for the office.)
- If a partisan primary, remind voters that they must vote for candidates under a single party heading. **You cannot “split your ticket” in a partisan primary.** (Split ticket voting is permitted in general elections.)
- Never attempt to influence the voter’s choices when offering instruction on the voting process.

If the voter asks for additional instruction after entering the voting station, two election inspectors who have expressed a preference for different political parties may approach the voting station to give the requested instruction. After giving the needed instruction, leave the voting station to allow the voter to vote in private. If the voter requests assistance in casting the ballot, refer to “Assisting Voters Cast Ballots.”

STEP THREE: Indicate Voter’s Participation in Election on Registration List

As soon as it has been determined that the elector is qualified to vote, clearly indicate on the registration list that the elector voted in the election. (Generally the voter’s name is highlighted; follow the clerk’s directions on the preferred method for indicating voter participation.)

STEP FOUR: Complete Poll Book and Application to Vote

- List the voter’s name in the Poll Book.
- Enter the “voter number” appearing in the Poll Book next to the voter’s name on the Application to Vote.
- Enter the ballot serial number in the Poll Book next to the voter’s name and on the Application to Vote.

STEP FIVE: Issue Optical Scan Ballot

After completing the Poll Book and Application to Vote entries, give the voter the ballot, a ballot secrecy folder and the Application to Vote. Direct the voter to the next available voting station.

STEP SIX: Receipt of Optical Scan Ballot

After voting, the voter is required to 1) insert the ballot into the ballot secrecy folder with the stub bearing the ballot number exposed and 2) return the ballot in the folder and the Application to Vote to an inspector for verification. If the ballot is not properly inserted into the folder, tell the voter to insert the ballot in the folder in the proper way.

Be sure to check to see if the number on the stub of the voter's ballot matches the number of the ballot issued to the voter as recorded on the Application to Vote.

If the numbers match, the election inspector tears off the stub, places the Application to Vote in the application binder and allows the voter to feed the ballot into the tabulator. The stubs may be discarded after the polls close.

IMPORTANT NOTES

If the number on the ballot stub does not match the number of the ballot issued to the voter, question the voter and enter the facts in the remarks section of the Poll Book. If the voter cannot give a satisfactory answer, contact the clerk for instruction.

Under no circumstances is a voter allowed to leave the polling place with his or her Application to Vote, ballot or ballot stub. If a voter attempts to leave the polls with his or her Application to Vote, ballot or ballot stub, request its return. If the voter refuses to comply with your request, record the facts in the remarks section of the Poll Book and contact the clerk.

Points to Remember When Processing Voters

Secrecy of the ballot must be strictly maintained throughout the above process! Only those persons duly authorized to provide voting assistance may be present in the voting station when the voter makes his or her ballot choices. (An exception is provided for minors; see explanation below.) For more information, see "Assisting Voters Cast Ballots."

If a voter **deliberately** shows any person in the polling place how he or she voted, the voter's ballot is void. For further information, see "Spoiled Ballots/Exposed Ballots."

Key points to remember when administering Michigan's voter identification requirement:

- A voter not in possession of picture ID who refuses to sign the affidavit form cannot vote and should be referred to the clerk. The same procedure is used for voters who refuse to complete an Application To Vote. No ballot is issued. Such a voter would not be eligible for a provisional ballot.
- A voter who claims to have picture ID but refuses to show it cannot vote and should be referred to the local clerk. The voter does not have the option of signing the affidavit form as the affidavit is designed for voters not in possession of picture ID. Such a voter would not be eligible for a provisional ballot.
- A picture ID that does not show the voter's residential address is **acceptable**.
- A voter cannot be challenged just because he or she is not in possession of picture ID or did not bring picture ID to the polls and signs the affidavit in order to vote. As is the case with any voter, a voter who is unable to show picture ID can be challenged if a challenger or an election inspector has "good reason to believe" the person is not qualified to vote in the precinct.
- A challenge may be made if election procedures are not being properly performed, if an election inspector attempts to issue a ballot to a voter who has not shown picture ID or signed an affidavit or if the challenger has "good reason to believe" the person is not properly registered. Consequently, a challenge may be issued if a voter provides picture ID with an address that is different than the address on the precinct's QVF list.

Children allowed in voting station: The law provides that a "minor child" may accompany an elector in the voting station. The law further provides that a ballot viewed by a minor child accompanying an elector is not subject to rejection for "exposure." For these purposes, anyone under 18 years of age should be regarded as a "minor child."

Rearranging record keeping steps to meet administrative preferences: While record keeping steps associated with the voter processing procedure may be rearranged to meet administrative preferences, care must be taken to assure that the security measures built into the procedure are not compromised. For example, if the clerk directs you to retain the Application to Vote at the processing table, do not fail to verify the number on the voter's ballot after the voter exits the voting station. This can be done by calling out the voter's name and ballot number to the inspector holding the Application to Vote or by checking the ballot number against the Application to Vote or the Poll Book.

CAMPAIGNING AT POLLS/EXIT POLLSTERS

Campaigning at the Polls

All campaigning on election day must be at least 100 feet from any doorway used by voters to enter the building in which the polling place is located. The following activities are included under this restriction:

- Approaching voters to encourage them to vote for or against a candidate or ballot question.
- Distributing any type of campaign literature or write-in stickers.
- Attempting to collect petition signatures.
- Requesting donations, selling tickets or engaging in similar activities.

Election inspectors have the right to ask voters entering the polls to remove campaign buttons or cover up clothing bearing a campaign slogan or a candidate's name. In addition, voters may be told to conceal campaign literature or other campaign materials brought into the polls. While there is nothing to prohibit a voter from referring to campaign literature or "slate cards" when voting, the materials may not be left behind in the voting station. Election inspectors should periodically check each voting station for campaign literature left by voters and discard any that is found.

Literature, Signs, Posters, Etc.

Michigan election law stipulates that "a person shall not post, display, or distribute in a polling place, in any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located any material that directly or indirectly makes reference to an election, a candidate, or a ballot question." **This includes materials developed to inform voters on the "pros" and "cons" of ballot proposals.** The prohibition does **not** apply to official material that is required by law to be posted, displayed, or distributed in a polling place on election day.

A voter may park a car or other vehicle bearing campaign signs or bumper stickers within 100 feet of the polling place during the time he or she is voting. Under any other circumstances, vehicles bearing campaign signs or bumper stickers must be parked at least 100 feet from any entrance to the building in which the polling place is located.

Handling Violations

If a person persists in violating any of the above restrictions on election day, contact the clerk or, if necessary, a local law enforcement agency.

For information on Exit Pollsters, flip the page>>

Exit Pollsters

“Exit pollsters” are persons employed to survey electors **after** they have voted. While Michigan election law does not specifically regulate exit polling, the Department of State’s Bureau of Elections recommends that exit pollsters 1) must remain at least **20 feet** away from the entrance of the building in which the polling place is located 2) not enter the building in which the polling place is located and 3) not question any person **entering** the building in which the polling place is located. It is important to note that exit polling is the questioning of voters **after they have left the polls.**

CHALLENGERS/POLL WATCHERS

Challengers

Election challengers may be appointed by political parties and qualified interest groups to observe the election process in voting precincts and absent voter counting board precincts. A challenger has the right to 1) challenge a person's qualifications to vote if the challenger has reason to believe that the person is not qualified to vote in the precinct, 2) challenge the actions of the election inspectors operating the precinct if the challenger believes that election law is not being followed. An official challenger:

- May be appointed to serve in more than one precinct.
- Must represent a recognized political party or an interest group which is authorized to appoint election challengers at the election. (While a political party or interest group may rotate challengers in a precinct, a political party or interest group may not have more than two challengers present in the precinct at anytime throughout the course of the day.)
- May **not** be a candidate for any elective office in the election. **EXCEPTION:** A candidate for precinct delegate may serve as an election challenger in a precinct other than the one in which he or she is a candidate.
- May **not** serve as an election inspector in the election.
- May **not** campaign, distribute campaign material or wear campaign buttons in the precinct.

If two challengers are representing a political party or an organization in the precinct, only one of the challengers may hold the authority to challenge at any given time. The challengers may alternate the authority to challenge at their discretion. The challengers must advise the precinct board each time the authority is alternated.

Credentials: A challenger must have in his or her possession a "challenger card" issued by the party or organization he or she represents. Upon entering the precinct, the challenger must show the card to the chairperson of the precinct board. It is recommended that a challenger also wear a badge which bears the words "ELECTION CHALLENGER."

Absent voter counting board oath: A challenger appointed to serve in an absent voter counting board is required to take and sign the following oath:

"I (name) do solemnly swear (or affirm) that I shall not communicate in any way information relative to the processing or tallying of voters that may come to me while in this counting place until after the polls are closed."

The oath may be administered by any member of the absent voter counting board.

Conduct standards: Challengers must conduct themselves in an orderly manner at all times. A challenger can be expelled from the precinct for unnecessarily obstructing or delaying the work of the election inspectors; touching ballots, election materials or voting equipment; campaigning; or acting in a disorderly manner.

- A challenger is expressly prohibited from threatening or intimidating voters 1) entering the polling place 2) applying to vote 3) entering a voting station 4) voting or 5) leaving the polling place.
- Challengers cannot campaign, distribute literature or display any campaign material (including campaign buttons) in the polls or within 100 feet of any doorway being used by voters to enter the building in which the polling place is located.

Conduct standards: *(cont.)*

- Challengers do not have the authority to approach voters or talk to voters for any reason. Similarly, challengers are prohibited from wearing anything, displaying anything or saying anything that suggests or conveys that they are available to assist voters in anyway or answer questions that voters may have.
- Challengers do not have the right to use video cameras or recording devices in the polling place.
- A challenger is prohibited from wearing or displaying a button, armband, vest, shirt, hat or any similar items which identifies the organization he or she represents.
- Challengers do not have authority to place tables in polls.

Rights of challengers: It is the duty of the precinct board to provide space for challengers which will enable them to observe all election procedures being carried out. In a voting precinct, challengers are permitted to position themselves behind the election inspectors' table. Those present in the polls (including all election inspectors and voters) are expressly prohibited from threatening or intimidating any challengers assigned to serve in the polling place. Election challengers have the right to:

- Examine the voting equipment before the polls open and after the polls close.
- Observe each person offering to vote. (Challengers may **not** observe electors voting.)
- Observe the processing of voters.
- Bring to the precinct board's attention the improper handling of a ballot by a voter or an election inspector; that the 100-foot campaign restriction is being violated (see "Campaigning at Polls/Exit Pollsters" for restriction); or that any other election law or prescribed election procedure is being violated.

- Inspect the Applications to Vote, Poll Books, registration list and any other materials used to process voters at the polling place. (When exercising this right, challengers may **not** touch the Applications to Vote, Poll Books, registration list or other materials being used by the precinct board.)
- Keep notes on persons offering to vote, election procedures being carried out and actions of the board.
- Remain in the precinct until board completes its work.

Challenge procedure ("unqualified" voter): A challenger has the right to challenge a voter if the challenger has **good reason to believe** that a person who offers to vote: 1) is not a true resident of the city or township 2) has not yet attained 18 years of age 3) is not a United States citizen or 4) did not register to vote on or before the "close of registration" for the election at hand.

Generally, such challenges are based on research conducted in advance of the election by the challenger or the organization the challenger represents. In other cases, the voter may make a statement regarding his or her age, residency status, registration date or citizenship status when offering to vote that gives the challenger "good reason to believe" that the voter is not qualified to vote in the precinct.

Challenges issued against voters must be directed to the chairperson of the precinct board before the voter is issued a ballot. After the challenge is issued, the chairperson of the precinct board or an election inspector designated by the chairperson is responsible for supervising the challenge to make sure that it is conducted promptly and courteously. (If other voters are present, the challenged voter can be removed from the line to avoid processing delays.)

The challenge proceeds as follows:

- (1) After the challenge is made, the challenged person takes the oath printed below. The oath is administered by the chairperson of the precinct board or a designated election inspector.

“I swear (or affirm) that I truly will answer all questions put to me concerning my qualifications as a voter.”

- (2) After the oath has been administered, the precinct chairperson or a designated election inspector may question the voter. Election law stipulates that the questions be confined to the person’s qualifications as a voter (citizenship, age, residency and date of registration).
- (3) A challenged voter is permitted to vote a specially prepared “challenged ballot” if the answers given under oath prove that he or she is qualified to vote in the precinct. (See below for instruction on preparing a “challenged ballot.”) A challenged voter may **not** vote if he or she refuses to take the oath, refuses to answer appropriate questions under oath or is found to be not qualified to vote through the answers given under oath.
- (4) A complete record of the challenge must be entered on the “CHALLENGED VOTERS” page in the Poll Book. The record must include the name of the person making the challenge; the reason for the challenge; the time of the challenge; the name, address and telephone number of the person challenged; and any other pertinent information.

A challenger is not permitted to challenge a voter’s right to vote unless the challenger has *good reason to believe* that the elector is not eligible to vote in the precinct.

Challenges may not be issued based on an “impression” that the voter may not be eligible to vote in the precinct due to the voter’s manner of dress, inability to read or write English, perceived race or ethnic background or need for assistance with the voting process. Similarly, challenges may not be issued based on any physical or mental disability the voter may have or is perceived to have.

Every effort must be made to ensure that the challenge procedures are properly carried out as the abuse of the process can have serious consequences including the disenfranchisement of qualified electors, criminal violations and legal challenges over the election results. *The precinct chairperson has the authority to expel challengers who abuse the challenge process.*

Challenge procedure (absentee voter at polls): A challenger has the right to challenge any voter issued an absentee ballot who appears at the polls to vote on election day claiming that he or she 1) never received the absentee ballot 2) lost the absentee ballot or 3) destroyed the absentee ballot. If such a challenge is made, permit the voter to vote a specially prepared “challenged ballot” and enter a complete record of it on the “CHALLENGED VOTERS” page of the Poll Book; the questioning of the voter is not required.

Preparing and issuing challenged ballots: A challenged voter must vote on a specially prepared optical scan ballot:

- Write number appearing on the voter’s ballot in pencil on the back of the ballot.
- Conceal number with tape and/or a slip of paper per the election official administering the election.
- Enter voter’s name into the Poll Book.

Next, issue the ballot to the voter and direct them to a voting station. After the voter has voted, the ballot is deposited in the tabulator under routine procedure.

Challenge procedure (precinct board fails to automatically issue a challenged ballot when required): Under the circumstances outlined below, precinct boards are required to automatically issue a voter who attends the polls a ballot prepared as a “challenged ballot” and enter a record of the challenge on the “CHALLENGED VOTERS” page in the Poll Book:

- (1) A voter who refuses to enter his or her birthdate on the Application to Vote form is required to vote a ballot prepared as a “challenged ballot.”
- (2) A voter who enters a birthdate on the Application to Vote form which does not correspond to the birthdate recorded for the voter on the precinct’s QVF list is required to vote a specially prepared “challenged ballot.”
- (3) A voter who is issued a “provisional ballot” is required to vote a ballot prepared as a “challenged ballot.” (Note: The ballot issued to the voter must be prepared as a “challenged ballot” regardless of whether the ballot will be tabulated in the polls or preserved as an “envelope ballot” and held for evaluation after the election.)
- (4) An absent voter ballot must be prepared as a “challenged ballot” if the ballot stub is missing or the ballot serial number does not match the serial number recorded for the absentee voter.

If a challenger has reason to believe the precinct board is not preparing the “challenged ballot” when required, the challenger must direct the challenge to the precinct chairperson. If the chairperson rejects the challenge, the challenger has the right to contact the election official in charge of the election to resolve the matter. The election inspectors must enter a complete record of the challenge on the “CHALLENGED VOTERS” page in the Poll Book.

Absentee voter challenge: If an absentee ballot being processed in the precinct is challenged, identify the ballot in the same way regular challenged ballots are identified, vote the ballot and make a proper notation on the “CHALLENGED VOTERS” page in the Poll Book.

Challenge procedure (actions of the precinct board): If a challenger has reason to believe that the precinct board is not following election law, the actions of the precinct board may be challenged by consulting with the board chairperson. If the chairperson rejects the challenge, the challenger has the right to contact the election official in charge of the election on the matter at issue. The election inspectors must enter a complete record of the challenge in the Poll Book.

Challenge procedure (administration of voter identification requirement): Every Michigan voter who offers to vote at the polls must show picture ID or sign an affidavit attesting that he or she is not in possession of picture ID.

Challenges may be made if election procedures are not being properly performed, if an election inspector attempts to issue a ballot to a voter who has not shown picture identification or signed an affidavit or if the challenger has **good reason to believe** the person is not properly registered. Consequently, a challenge may be issued if a voter provides picture ID with an address that is different than the address on the precinct’s QVF list.

A voter **cannot** be challenged just because he or she is not in possession of picture ID or did not bring picture ID to the polls and signs the affidavit in order to vote. Of course, as is the case with any voter, a voter who is unable to show picture ID can be challenged if a challenger has **good reason to believe** that the person is not qualified to vote in the precinct.

Poll Watchers

An election is an open process that may be observed by any interested person. (However, note that candidates cannot remain in the polling place after they have voted because of the possible conflict with the provisions which prohibit campaigning within 100 feet of the polls.) A person who wishes to observe the election process – but who is not a qualified election challenger – is commonly called a “poll watcher.” It is important to clearly understand the distinction between poll watchers and challengers:

- A challenger must be registered to vote in the State of Michigan; poll watchers do not have to meet this requirement.
- Poll watchers are subject to the same “conduct standards” as challengers.
- A challenger has the right to challenge a person’s right to vote and the actions of the precinct board; a poll watcher does not have this authority.
- A challenger may sit behind the processing table; a poll watcher does not have this privilege. (Poll watchers must sit or stand in the “public area” of the polling place where they will not interfere with the voting process.)
- Challengers have a right to look at the Poll Book; poll watchers may look at the Poll Book at the discretion of the precinct board chairperson. A challenger or a poll watcher may **not** touch the Poll Book or any other voting records.

**See Election Challengers & Poll Watcher Chart
on next page>>**

**ELECTION CHALLENGERS AND POLL WATCHERS:
SUMMARY OF RIGHTS AND DUTIES**

	Challengers	Poll Watchers
Must carry credentials issued by appointing authority.	Yes	No
Must be registered to vote in Michigan.	Yes	No
Has the right to challenge a person's eligibility to vote.	Yes	No
Has the right to challenge the actions of election inspectors.	Yes	No
May stand or sit behind processing table.	Yes	No. Must remain in public area.
Has the right to look at the Poll Book & other election materials.	Yes	Yes. But only as permitted by precinct board & when voting process will not be delayed.
May handle the Poll Book and other election materials.	No	No
May use a video camera or recording device in polling place.	No	No
May use a cell phone in polling place.	Yes If not disruptive.	Yes If not disruptive.
May wear clothing, button, arm band, vest, etc. that identifies organization he or she represents.	No	No
May place tables in the polls.	No	No
Has the right to approach and question voters.	No	No
Can offer assistance to voters.	No	No
May remain in the polling place until the election inspectors complete their work.	Yes	Yes
May obtain vote results generated in precinct after polls close.	Yes	Yes

ASSISTING VOTERS/SPOILED BALLOTS/EXPOSED BALLOTS

Advise voters who indicate that they will need help to cast their ballot that voting equipment is available in the polling place that they can use to vote independently without any assistance (AutoMARK Voter Assist Terminal).

If the voter maintains that he or she wishes to cast his or her ballot with assistance, proceed as explained below. A voter who receives voting assistance can vote in a regular voting station or through the use of the AutoMARK Voter Assist Terminal as the voter prefers.

Assistance Procedure

Whenever a voter receives help to vote his or her ballot, a complete record of the matter must be entered into the remarks section of the Poll Book. The record must include the name of the assisted voter and the person or persons who gave the assistance.

- Under state law, an elector may appeal to the precinct board for voting assistance. A reason for the needed assistance does not have to be stated. When an elector asks for voting assistance, the needed help must be provided by **two** inspectors who have expressed a preference for different political parties.
- Under federal law, an elector who is blind, disabled or unable to read or write may be assisted with his or her ballot by any person of the voter's choice, other than the voter's employer or agent of that employer or an officer or agent of a union to which the voter belongs. If an elector indicates that he or she wants to receive voting assistance from another person, the following question must be asked of the voter: **"Are you requesting assistance to vote by reason of blindness, disability or inability to read or write?"** A "yes" or "no" answer to this question is sufficient. If the answer to the question is "yes," the person

who will provide assistance is asked: **"Are you the voter's employer or agent of that employer or an officer or agent of a union to which the voter belongs?"** If the answer to this question is "no," the voter may be assisted by the person. The person assisting the voter may be of any age. If it is determined that the voter is not requesting assistance to vote by reason of blindness, disability or inability to read or write or if the person who has accompanied the person to the polls to provide assistance is not eligible to provide assistance, **two** inspectors who have expressed a preference for different political parties must assist the voter.

Spoiled Ballots

A voter who spoils his or her ballot may obtain a new ballot. In all cases, enter a complete account of the matter on the remarks page of the Poll Book.

Spoiled ballot procedure:

- 1) Direct the voter to return the spoiled ballot.
- 2) Record the new ballot number in the Poll Book opposite the name of the voter and on the voter's Application to Vote.
- 3) Draw a line through the first ballot number recorded on the forms and note that the ballot was "SPOILED."
- 4) Issue the voter a new ballot.
- 5) Write the word "SPOILED" on the ballot, remove the stub and place the ballot and stub in the envelope labeled "SPOILED BALLOTS." (If you were not supplied with an envelope reserved for this purpose, create your own.)
- 6) Return spoiled ballot to the clerk after polls close.

Exposed Ballots

If a voter **deliberately** shows any person in the polling place how he or she voted, the voter's ballot is void and must be rejected. (An exception is made for a minor child who accompanies an elector in the voting station. For further information, see "Children allowed in voting station" under "Processing Voters.")

To reject the ballot, take the actions described below.
DO NOT PERMIT THE VOTER TO VOTE AGAIN IN THE ELECTION. In all cases, enter a complete account of the matter on the remarks page of the Poll Book.

Exposed ballot procedure:

- 1) Mark the ballot, "REJECTED FOR EXPOSURE." Do not give the voter another ballot to replace the rejected one.
- 2) Write "REJECTED" next to the voter's name in the Poll Book.
- 3) Put the rejected ballot in the envelope labeled "REJECTED."
- 4) Write the reason for the rejection on the outside of the labeled envelope. (If you were not supplied with an envelope reserved for this purpose, create your own.)
- 5) Return the rejected ballot to the clerk after the polls close.

MAINTAINING ORDER IN THE POLLS

Michigan election law extends precinct boards full authority to “maintain peace, regularity and order at the polling place...” Precinct boards are extended such authority as voters have a right to vote a secret ballot in a secure, orderly environment which is free of distractions. To ensure the orderly management of the polls, precinct boards are urged to take the following actions **before the polls open**:

- Inside the room where the polling place will be established, clearly mark off the “public area” of the room. The “public area” of the polling place must be clearly distinguishable from the “voting area” of the room. All poll watchers and news media must remain in the “public area” of the polling place at all times.
- Outside of the building where the polling place will be located, measure off and mark where individuals who wish to solicit votes outside of the polls may conduct their campaign activities. (Michigan election law stipulates that no person is permitted to solicit votes or engage in any type of campaigning within 100 feet of any doorway used by voters to enter the building in which a polling place is located. As an exception, “exit pollsters” may position themselves as close as 20 feet from the doorway used by voters to enter the polling place. For additional information, see “Campaigning at Polls/Exit Pollsters.”)

Use of video cameras, cell phones, cameras, televisions and recording equipment in the polls: To ensure that all voters who attend the polls have a full opportunity to exercise their right to vote in private without undue distractions or discomfort, the following must be observed:

- The use of video cameras, still cameras and recording devices by voters, challengers and poll watchers is **prohibited** in the polls during the hours the polls are open for voting. (This **includes** the video camera, still camera and recording features built into many cell phones.)

- Broadcast stations and credentialed news media may be permitted to briefly film from the **public area** of the polling room. **In no case can personnel working for broadcast stations or the news media set up a camera in the voting area of the polling room.** In an instance where a broadcast station or media representative wishes to film a polling room and the public area of the polling room is too small to accommodate the film crew without interfering with the voting process, the film crew must film from the entryway to the polling room. Regardless of whether a film crew is in the public area of the polling place or the entryway to the polling room, the precinct chairperson **must** supervise the filming process to **ensure that the secrecy of the ballot is fully protected** and **no voters are inconvenienced** by the filming process.
- News reporters are **not** permitted to interview voters inside the polling place.
- The use of cell phones by voters **who have entered a voting station to vote is prohibited.** Voters may be permitted to use cell phones while waiting in line at the processing table if not disruptive to the voting process. Similarly, challengers and poll watchers may use cell phones if not disruptive or intrusive. (Of course, as noted above, the video camera, still camera and recording features built into many cell phones can never be used in the polls.)
- Television watching is **prohibited** in the polls during the hours the polls are open for voting.

**To see what action to take if problems occur
see next page>>**

Actions to take if problems occur: If a voter, challenger or poll watcher is disruptive or refuses to observe all applicable conduct standards, caution the individual that he or she will be ejected from the polls if problems persist.

If problems with the voter, challenger or poll watcher continue, eject the individual from the polling place. If the individual refuses to leave the polling place, contact the clerk, and if necessary, local enforcement authorities for assistance.

VOTERS WHO HAVE MOVED

If the residential address entered by the voter on the Application to Vote shows that the voter no longer resides at the address recorded on his or her registration record, proceed as described below.

Move Within City or Township

A registered elector who moves from one election precinct to another election precinct within the same city or township – but fails to change addresses prior to election day – can vote one last time in the precinct where registered. Proceed as follows:

- (1) Have the voter complete an Election Day Change of Address Notice. If address change notices are not available in the precinct, write corrected information on a plain piece of paper; forward the address change to the clerk after the polls close.
- (2) Make the proper check to identify the voter.
- (3) If the person is satisfactorily identified by the check, initial the Election Day Change of Address Notice and the Application to Vote and permit the applicant to vote.
- (4) Following the election, forward the Election Day Change of Address Notice to the clerk. The clerk completes the address change on the voter's registration record. The person must vote in the new precinct in the next election.

Move to a Different City or Township

A registered elector who moves from one Michigan city or township to another Michigan city or township – but fails to reregister in the new city or township – can vote one last time in the precinct where registered IF THE MOVE WAS MADE WITHIN 60 DAYS OF THE ELECTION. Proceed as follows:

- (1) Have the voter complete a Cancellation Authorization and an Application to Vote.
- (2) Make the proper check to identify the voter.
- (3) If the person is satisfactorily identified by the check, initial the Cancellation Authorization and the Application to Vote and permit the applicant to vote.
- (4) Following the election, forward the Cancellation Authorization to the clerk. The clerk cancels the voter's registration in the city or township. The person must register in his or her new city or township of residence in order to vote in the next election.

MISSING REGISTRATION

If a voter who completes an Application to Vote does not appear on the precinct's registration list, contact the clerk for assistance and complete a "four-step" procedure form ("Procedure for Issuing a Ballot If Voter's Name Does Not Appear On Registration List") before issuing a ballot to the voter. The four-step procedure form can be found in your supplies. There are two exceptions:

Exception #1: If the voter is in the proper polling place and is able to produce a voter registration receipt that shows that he or she registered to vote before the registration deadline, there is no need to complete the four-step procedure form. Instead, contact the clerk for assistance if needed and arrange to have the voter complete another registration form. After the voter has completed the registration form, permit the voter to vote under regular procedure.

Exception #2: If you or the clerk determines that the voter is registered to vote in a different precinct and the voter is willing to travel to his or her proper polling place, there is no need to complete the four-step procedure form. Instead, give the voter directions to his or her proper polling place. (If the voter declines to travel to his or her proper polling place, continue with the completion of the four-step procedure form.)

Completion of "Four-Step" Procedure Form

In an instance where the four-step procedure form must be completed before a ballot can be issued to the voter, the precinct board must carefully work through the form and make a final determination on whether the ballot issued to the voter can be handled like any other ballot issued in the polls (i.e., deposited in the precinct's tabulator) or must be preserved in a special "provisional ballot security envelope" and returned to the clerk's office for further review after the polls close.

The four-step procedure form is designed to guide the precinct board in making this determination. A ballot preserved in a "provisional ballot security envelope" is commonly called an "envelope" ballot. Provisional ballot security envelopes can be found in your supplies.

If, after completing the four-step procedure form, it is determined that the ballot can be tabulated in the precinct, proceed as follows:

- (1) Prepare ballot as a "challenged" ballot and issue to the voter.
- (2) Enter the voter's name in the Poll Book and write "CHALLENGED BALLOT" next to the voter's name.
- (3) Direct voter to a voting station and permit voter to vote the ballot.
- (4) After the voter has voted the ballot, verify the ballot serial number, remove the ballot stub and direct voter to deposit ballot in tabulator.
- (5) Issue the "NOTICE" supplied for such voters.
- (6) Forward the four-step procedure form completed by the voter to the clerk after the polls close.

If, after completing the four-step procedure form, it is determined that the ballot must be preserved as an "envelope" ballot, proceed as follows:

- (1) Prepare ballot as a "challenged" ballot and issue to the voter.
- (2) Enter the voter's name in the Poll Book and write "ENVELOPE BALLOT" next to the voter's name.
- (3) Direct voter to a voting station and permit voter to vote the ballot.
- (4) After the voter has voted the ballot, direct the voter to place the ballot in a secrecy sleeve. (The ballot stub remains attached to the ballot.) To protect the secrecy of the ballot, no member of the precinct board should handle the ballot during this step.
- (5) After the voter has placed the ballot in a secrecy sleeve, direct the voter to place the ballot in a PROVISIONAL BALLOT SECURITY ENVELOPE. (Provisional Ballot Security Envelopes can be found in your supplies.)

Process continued on next page>>

- (6) Seal the PROVISIONAL BALLOT SECURITY ENVELOPE and complete the entries on the outside of the envelope. Seal the ballot in the envelope only; do not enclose the four-step procedure form in the envelope.
- (7) Issue the "NOTICE" supplied for such voters.
- (8) Forward the four-step procedure form and the PROVISIONAL BALLOT SECURITY ENVELOPE holding the voter's ballot to the clerk after the polls close.

PROCESSING ABSENTEE BALLOTS

The following procedures apply if absentee ballots have been forwarded to your precinct for processing. (Absentee ballots will not be forwarded to your precinct for processing if the jurisdiction has established an absentee ballot counting board to handle the absentee ballots.) The absentee ballots may be processed throughout the day as time permits.

(1) Determine the legality of the ballot:

Check the signature on the absentee ballot return envelope against the voter's absent voter ballot application.

Check the registration list to confirm that the voter has not voted in person at the election.

(2) If it is determined by a **majority of the board** that the ballot is illegal and should not be counted for any reason (including the death of the voter), do **not** open the absentee ballot return envelope. Instead, write "REJECTED AS ILLEGAL" on the envelope along with the reason for the rejection and record the board's action in the remarks section of the Poll Book. The reason for the rejection entered on the absentee ballot return envelope must be initialed by the chairperson.

(3) If it is determined that the absentee ballot is legal and should be counted, indicate that the ballot was accepted on the registration list. (Generally, the voter's name is highlighted; follow the clerk's directions on the preferred method for indicating that the ballot was accepted.)

(4) Remove the ballot from the absentee ballot return envelope.

If the voter did not return the ballot, make a notation on the remarks page in the Poll Book. If the voter did not return the secrecy envelope, insert the ballot in a secrecy envelope obtained from your supplies. If the ballot is not properly inserted in the secrecy envelope, reinsert the ballot in the proper manner.

(5) Check to see if the number on the stub of the voter's ballot matches the number of the ballot issued to the voter as recorded on the absent voter application. If the stub is missing or the ballot number does not match, enter a notation on the remarks page of the Poll Book and prepare the ballot as a "challenged" ballot. (See ballot preparation procedure under "Challengers/Poll Watchers.")

(6) Enter the voter's name, the ballot serial number and the letters "A.V." (absent voter) in the Poll Book.

(7) Print the voter's name, voter number (from Poll Book), ballot serial number and the letters "A.V." on a blank Application to Vote. The election inspector who checked the legality of the ballot initials the application. NOTE: If the absentee voter completed the Application to Vote portion of the absentee ballot application, it will be provided with the voter's absentee ballot. If a completed Application to Vote is provided, it is not necessary to create an Application to Vote for the voter.

(8) Remove the ballot stub bearing the ballot number from the ballot; after removing the stub, deposit the ballot in the tabulator.

If an absentee ballot is received from a person who does not appear on the registration list, do **not** open the absentee ballot return envelope. Instead, contact the clerk for instructions. Return all absentee ballot envelopes – whether opened or not – to the clerk after the polls close.

WRITE-IN CANDIDATES

The following provides information on the laws and special procedures which apply to write-in candidacies and write-in votes.

Providing Information on the Write-In Process

When processing voters, always offer to give instruction on **all** aspects of the voting process including the procedure for casting write-in votes. If a voter states that he or she wishes to only receive instruction on the procedure for casting a write-in vote, it is permissible to limit your instruction to the write-in process; otherwise, instruction on all aspects of the voting process must be offered to avoid any appearance that the precinct board is promoting write-in candidates. If a voter asks for information on the write-in candidates who are seeking the offices on the ballot, advise the voter to contact the clerk. Do **not** provide the names of write-in candidates while processing voters or display the names of write-in candidates inside the polling place.

Declaration of Intent Requirement

An individual who wishes to seek nomination or election to a federal, state, county, city, township, village or school office with write-in votes is required to file a “declaration of intent” with the appropriate election official by 4:00 p.m. on the second Friday preceding the election. (An individual who wishes to seek a precinct delegate position with write-in votes may file a declaration of intent with his or her city or township clerk by 4:00 p.m. on the first Friday preceding the election. As an alternative, an individual who wishes to seek a precinct delegate position with write-in votes may file a declaration of intent with his or her board of election inspectors on election day. See “Declaration of Intent Requirement: Precinct Delegate Positions” below for further information.)

- The local clerk is responsible for notifying the precinct board of any write-in candidates who filed a declaration of intent prior to the election.
- A write-in vote cast for an individual who has **not** filed a declaration of intent **does not count**. Similarly, a write-in vote cast for an individual who filed a declaration of intent does not count unless the office for which the write-in vote was cast corresponds to the office identified on the declaration of intent; if a partisan primary, a write-in vote cast for an individual who filed a declaration

of intent does not count unless the **office and party correspond**. Write-in votes which do not count for the above reasons are **not** considered when determining whether an “over vote” has occurred or whether a “split ticket” has been cast at a partisan primary.

- The declaration of intent requirement is **waived** if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after the Wednesday immediately preceding the election. If the waiver is invoked, all write-in votes cast for the office must be counted including any write-in votes cast for candidates who have not filed a declaration of intent. (The waiver does **not** apply to precinct delegate positions. See “Declaration of Intent Requirement: Precinct Delegate Positions” below for further information.)

Declaration of Intent Requirement: Precinct Delegate Positions

An individual who wishes to seek a precinct delegate position with write-in votes is required to file a “declaration of intent” with the city or township clerk by 4:00 p.m. on the first Friday preceding the August primary. **As an alternative, such candidates may file a declaration of intent with their board of election inspectors on the date of the August primary anytime prior to the close of the polls.**

Individuals seeking precinct delegate positions with write-in votes are the only persons permitted to file a declaration of intent with the board of election inspectors on election day; all other write-in candidates must file the form with the appropriate election official prior to the election.

- The local city or township clerk is responsible for notifying the precinct board of any precinct delegate write-in candidates who filed a declaration of intent prior to the August primary. If an individual interested in seeking a precinct delegate position with write-in votes asks for a declaration of intent form on election day, provide the requested form. If declaration of intent forms were not included with your supplies, advise the individual to contact the local city or township clerk.

More on next page>>

- A write-in vote cast for a precinct delegate candidate who has not filed a declaration of intent does not count. Similarly, a write-in vote cast for a precinct delegate candidate who filed a declaration of intent **does not count** unless the write-in vote was cast under the political party column identified on the declaration of intent. Write-in votes which do not count for the above reasons are not considered when determining whether an “over vote” has occurred or whether a “split ticket” has been cast at a partisan primary.
- The declaration of intent “waiver” does not apply to precinct delegate positions. (The declaration of intent waiver, applicable to all other offices on the ballot, is invoked if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after the Wednesday immediately preceding the election. In such an instance, all write-in votes cast for the office are counted including any write-in votes cast for candidates who have not filed a declaration of intent.)

Recording Write-In Votes

Record all valid write-in votes **exactly as they were cast**. Include any name variations or name misspellings which may appear.

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